

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

HELEN LOUISE FORT,

Plaintiffs,

v.

JAMES ROGER MATLOUCK,

Defendant.

OPINION AND ORDER

18-cv-196-bbc

In this civil action for monetary and injunctive relief, plaintiff Helen Louise Fort alleges that, in October 2017, defendant James Roger Matlouck crashed a truck that they co-owned. He promised to pay for the damages but has not. Instead, he has hidden the truck so that the credit union cannot repossess it. Plaintiff asks that the court either order her name to be removed from the title of the truck or order defendant to pay for the damages to the truck and return it to her.

Because plaintiff is proceeding without prepayment of the filing fee, her complaint must be screened under 28 U.S.C. § 1915(e) to determine whether her complaint is frivolous, malicious, fails to state a claim upon which relief may be granted or seeks money damages from a defendant who is immune from such relief. After reviewing the complaint, I conclude that plaintiff may not proceed because her complaint does not state a federal claim over which this court would have jurisdiction.

Federal courts are courts of limited jurisdictional authority. Generally, a federal court

may exercise jurisdiction over a case in one of two situations: (1) the plaintiff brings a claim that arises under federal law, 28 U.S.C. § 1331; or (2) the plaintiff and defendant are citizens of different states and the amount in controversy is greater than \$75,000. 28 U.S.C. § 1332. Because plaintiff alleges that she and defendant both live in Wisconsin, the court would have jurisdiction over plaintiff's claim only if her claim arises under the United States Constitution or other federal law. I cannot discern from plaintiff's allegations any federal law that might support plaintiff's claim against defendant. Instead, plaintiff's allegations of a dispute over a vehicle suggest a conflict that should be raised in state court. Therefore, I will dismiss this case for lack of subject matter jurisdiction.

ORDER

IT IS ORDERED that plaintiff Helen Louise Fort's complaint is DISMISSED for lack of subject matter jurisdiction.

Entered this 5th day of April, 2018.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge